

	<h1 style="text-align: center;">Garner Police Department</h1> <h2 style="text-align: center;">Written Directive</h2>	
	<b>Chapter:</b> 300 - Personnel Management	
	<b>Directive:</b> 310.12 – Physical Fitness Program	
<b>Authorized by:</b> Chief Brandon Zuidema		<b>Effective Date:</b> August 1, 2017
<b>CALEA Standards:</b> 22.2.3		<b>Last Revision:</b> December 13, 2016

### 310.12.1 - Purpose

The purpose of this directive is to establish policy and procedure for the administration of the Department's Physical Fitness Program for sworn employees.

### 310.12.2 - Policy

It is the policy of the Garner Police Department to ensure that all sworn employees can perform the essential functions of a sworn police officer. We also encourage physical fitness for our employees as a means of promoting officer and public safety and the professionalism of the Department.

### 310.12.3 – Definitions

The following definitions are applicable to the Garner Police Department's Physical Fitness Program for sworn employees:

- A. Certified Fitness Instructor – a Department instructor who is certified through the [North Carolina Criminal Justice Education and Training and Standards Commission](#) as a fitness instructor.
- B. Department Fitness Instructor – a Department instructor who is not a certified fitness instructor but who has received internal training on administering POPAT testing.
- C. Essential Functions
  - 1. The following are defined as the “essential functions” of a sworn police officer with the Department, regardless of rank and/or assignment:
    - a. Respond to emergency situations in vehicles and on foot;
    - b. Conduct criminal investigations, to include interviewing suspects, victims and witnesses, collecting evidence, conducting searches and documenting actions taken;
    - c. Enforce criminal law, including making custodial arrests and using physical or other force when necessary;
    - d. Serve warrants and criminal summons;
    - e. Enforce traffic law, direct traffic and investigate traffic crashes;
    - f. Operate and maintain a department-assigned vehicle;

- g. Participate in mandatory and optional training courses, which may include the application of skills and abilities;
  - h. Patrol an assigned area of the Town, taking action to address disturbances of the peace, suspicious activity and/or persons, and violations of law;
  - i. Perform animal control duties in the absence of the Animal Control Officer;
  - j. Perform rescue operations and render assistance to citizens;
  - k. May be assigned to specialty assignments including, K-9, Special Response Team, Crisis Intervention Team, Field Training Officer and other short or long term assignments;
  - l. Respond to requests for service, both criminal and non-criminal in nature; and
  - m. Testify in court, including preparation of necessary reports and related documents.
2. The Police Officer Physical Abilities Test (POPAT) is a timed, continuous sequence of actual and simulated job task events that measure basic individual abilities directly related to the essential functions described above.
- D. Fitness Standard – the POPAT time that all sworn employees are required to meet or to continue to make progress toward in accordance with the guidelines in this directive.
- E. Minimum Performance Standard – the POPAT time that all sworn employees are required to attain in order to maintain their sworn employment status while working toward improvement to meet the Fitness Standard.
- F. North Carolina POPAT Standard – the time requirement established by North Carolina Criminal Justice Education and Training Standards Commission for successful completion of the 2015 POPAT course.
- G. Performance Gap – the time difference between the Department's fitness standard and the employee's POPAT time any time that the employee does not meet the fitness standard.
- H. POPAT – The 2015 North Carolina Police Officer Physical Abilities Test for evaluating police officer performance of essential job functions (see also the addendum to this policy for a description of the POPAT course).
- I. Push-Up – the employee must position their body so that their hands are shoulder-width apart with their shoulder and lower back aligned and their arms (triceps and elbows) fully extended. The employee must then lower their body four (4) inches parallel to the ground maintaining their shoulder and back alignment; the employee must touch their chin to the fitness instructor's fist, or object equal to the height of a fist, which is placed on the ground in a position to line up with the employee's chin. Each time the employee lowers their body and returns to the starting position as described herein is a push-up.
- J. Roll Drill – a component of POPAT testing where the employee begins on top of a one hundred (100) pound contoured heavy bag with their left knee on the floor, rolls to their right until the bag is over their body, continues to roll to the right until they are back on top of the heavy bag with their right knee on the floor, and then performs a complete turn back to the left and ends with their left knee back on the floor.

**310.12.4 – Program Administration (22.2.3)**

- A. The Department's Physical Fitness Program will be coordinated by the Personnel and Training Sergeant.
  - 1. The Personnel and Training Sergeant will schedule all semi-annual fitness testing sessions, will track individual results, and will schedule all necessary make-up tests and re-tests.
  - 2. No fitness testing sessions will be scheduled or conducted without the knowledge and approval of the Personnel and Training Sergeant or, in his absence, the Administration Lieutenant.
- B. The Department utilizes the POPAT course for evaluating employee fitness.
  - 1. Any POPAT course used for semi-annual fitness testing purposes will be administered by a minimum of two (2) fitness instructors, one of whom shall be a Certified Fitness Instructor. One fitness instructor will be responsible for administering the test and maintaining the course time; the other fitness instructor will be responsible for ensuring that the course is completed in accordance with Department standards while also maintaining a back-up course time.
  - 2. Individual results from POPAT testing conducted for semi-annual fitness testing will be documented on a [POPAT Results form \(GPD form 310.12-A\)](#).
  - 3. Employees who participate in semi-annual fitness testing will be required to wear the following while performing the POPAT course:
    - a. Boots or sneakers;
    - b. Pants with belt loops and a trouser-style belt;
    - c. Short or long-sleeve shirt (any style); and
    - d. Department-issued body armor.
  - 4. Employees will be required to complete all phases of the POPAT course to receive a time. Employees will not be allowed to move on from any phase of the course until that phase is successfully completed.
  - 5. Employees who do not complete the course at or faster than the minimum performance standard will be allowed to stop at their discretion or at the discretion of a fitness instructor if there is a concern for the employee's physical wellbeing.
- C. Newly hired employees will be required to meet the requirements outlined in this directive. This is not intended to dismiss the requirement for officers attending BLET to meet the fitness requirements of that certification program.

**310.12.5 – Fitness Requirements (22.2.3)**

- A. All sworn employees are required to meet the Department's fitness requirements as outlined in this directive.
- B. All sworn employees are required to complete the POPAT course semi-annually (typically in the spring and fall of the year).
  - 1. Employees who complete the course at the fitness standard or faster are deemed to have met the Department's fitness standard.

2. Employees who complete the course slower than the fitness standard but at or faster than the minimum performance standard are deemed to have met the Department's minimum performance standard but not to have met the Department's fitness standard and therefore require improvement.
3. Employees who complete the course in a time slower than the minimum performance standard or who do not complete the course are deemed to have not met the Department's minimum performance standard and require improvement before returning to active duty. This does not apply to an employee who suffers an injury while performing the POPAT test and is unable to complete the test as a result of the injury.

#### **310.12.6 – Failure to Meet the Fitness Standard**

- A. An employee who completes the POPAT course slower than the fitness standard but at or faster than the minimum performance standard will be allowed to remain on active duty but will be required to demonstrate improvement toward meeting the fitness standard.
  1. Upon an employee's first failure to meet the fitness standard, the employee will be provided with fitness and health guidelines intended to support improvement toward meeting the fitness standard.
  2. The Personnel and Training Sergeant will notify the employee's immediate supervisor and up through the chain-of-command upon a failure to meet the fitness standard.
  3. There will not be any disciplinary action for an employee's first failure to meet the fitness standard on any required POPAT test in any semi-annual testing session. The employee will receive non-disciplinary counseling from their supervisor and the failure will be noted in their annual appraisal.
- B. Upon a failure to meet the Department fitness standard, the employee will be required to participate in a remedial fitness program (as outlined in Addendum #3 to this directive) until such time that they meet the fitness standard.
- C. Upon a failure to meet the fitness standard, the employee will be required to re-test on a recurring basis until they can meet the fitness standard:
  1. The purpose of the recurring tests is to measure continuous improvement by the employee toward meeting the fitness standard.
  2. The Personnel and Training Sergeant will provide the employee with a [Notice of Re-Testing form \(GPD form 310.12-B\)](#) that will outline the employee's performance goals for re-testing and reaching the fitness standard.
  3. The difference between the North Carolina POPAT standard time and the employee's POPAT time on their first attempt for each semi-annual testing session will be defined as the employee's "performance gap."
  4. The performance gap will be divided by the number of quarterly tests remaining up to and including spring 2018 testing to establish performance time goals for each scheduled re-test.
  5. The first re-test will occur within ninety (90) days of the initial unsuccessful test. The second re-test will occur during the employee's regularly scheduled semi-annual fitness test. Subsequent re-tests will follow this schedule alternating between the scheduled semi-annual test and a ninety (90) day test scheduled for impacted employees.
    - a. The Personnel and Training Sergeant will schedule the employee for a re-test as close to the ninety (90) day window as schedules will allow.

- b. The employee will be required to reach the stated performance time goal on each re-test.
  - 1) If the employee meets the fitness standard on a re-test, that score will be recorded as their semi-annual POPAT time and no further testing will be required related to the original semi-annual test.
  - 2) If the employee exceeds the performance time goal on a re-test but does not reach the fitness standard, subsequent performance time goals will be reset as described in section 4 above and the employee will be required to continue to re-test.
  - 3) If the employee fails to reach their performance time goal on a re-test, they will still be required to reach the next existing performance time goal on the subsequent re-test.
- c. If the employee does not meet the fitness standard but meets the required performance time goal there will be no disciplinary action resulting from the re-test. The employee will be required to continue with quarterly testing.
- d. If the employee fails to meet the required performance time goal on a re-test the employee may be subject to disciplinary action:
  - 1) A 1<sup>st</sup> failure will result in the employee being issued a Level One Written Warning.
  - 2) A 2<sup>nd</sup> failure will result in the employee being issued a Level Two Written Warning.
  - 3) A 3<sup>rd</sup> failure will result in the employee being issued a Level Three Final Written Warning.
  - 4) A 4<sup>th</sup> failure will result in the employee's performance and progress being reviewed by the employee's bureau captain. The captain will make a recommendation for disciplinary action of at least suspension with the possibility of demotion or termination. The employee will then be scheduled for a Pre-Disciplinary Conference with the Chief of Police in accordance with Department policy.
- e. All re-testing conducted related to semi-annual fitness testing will be recorded on a [POPAT Re-Testing form \(GPD form 310.12-C\)](#).

#### **310.12.7 – Failure to Meet the Minimum Performance Standard (22.2.3)**

- A. In the event an employee does not meet the minimum performance standard (on any test or re-test), the Personnel and Training Sergeant will notify the employee's immediate supervisor and up through the chain-of-command.
- B. Any employee who does not meet the minimum performance standard will be referred to one (or more) of the Department's contracted providers for a mandatory medical exam and/or fitness evaluation. The purpose of this referral is to identify any health concerns contributing to the employee's physical conditioning and to provide health and fitness guidelines to assist the employee in meeting the fitness standard.
- C. Failure to meet the minimum performance standard will be considered grossly inefficient job performance as outlined in Part IX, Section 5 of the Town's [Personnel and Policies Manual](#). Any employee who does not meet the minimum performance standard will be suspended from duty until such time that they can complete the course at or faster than the minimum performance standard. Any suspension will be handled in accordance with Town and Department policy and with the following guidelines:

1. The employee will be provided with a [Failure to Meet the Minimum Performance Standard form \(GPD form 310.12-D\)](#) that will advise the employee of their suspension and their re-testing requirements.
  2. The employee will be allowed to use any earned leave they have for the first thirty (30) days of suspension.
  3. The employee will be placed on unpaid leave if they have not completed the course at or faster than the minimum performance standard after the first thirty (30) days.
- D. Upon a failure to meet the minimum performance standard, the employee will be required to participate in a remedial fitness program (as outlined in Addendum #3 to this directive) until such time that they meet the Department fitness standard.
- E. An employee who fails to meet the minimum performance standard will be required to retest in order to meet the minimum performance standard. The first re-test will occur within no more than thirty (30) days of the initial unsuccessful test. Each subsequent re-test will occur within no more than thirty (30) days of the prior re-test.
1. The Personnel and Training Sergeant will schedule the employee for a re-test as close to the thirty (30) day window as schedules will allow.
    - a. The employee may contact the Personnel and Training Sergeant to request a re-test sooner than their scheduled date at any time during the thirty (30) day cycle.
    - b. The employee will be allowed to re-test as often as they wish assuming the Department can provide the necessary fitness instructors to conduct the re-test(s).
  2. Once an employee meets the minimum performance standard on any re-test, the employee will be returned to full duty and will be required to meet the requirements outlined in section 310.12.6, *Failure to Meet the Fitness Standard* (assuming they did not meet the fitness standard).
- F. Employees will be allowed a maximum of ninety (90) days from their first unsuccessful test to meet the minimum performance standard.
1. The employee's bureau captain will review the performance and progress of any employee who does not meet the minimum performance standard after ninety (90) days.
  2. The employee's bureau captain will make a recommendation for disciplinary action of at least suspension with the possibility of demotion or termination. The employee will then be scheduled for a Pre-Disciplinary Conference with the Chief of Police in accordance with Department policy.

### **310.12.8 – Make-Up Semi-Annual Fitness Testing**

- A. The Personnel and Training Sergeant will schedule no more than two make-up days for each of the semi-annual fitness testing sessions. These days will be scheduled at least seven (7) days in advance.
- B. Employees must have supervisory approval to miss their scheduled fitness testing session prior to being scheduled for a make-up session.
- C. It is the sole responsibility of the employee to ensure they complete each semi-annual fitness testing session. It is not the responsibility of the Personnel and Training Sergeant or any other Department supervisor to ensure that any employee completes a semi-annual fitness training session.

- D. Any employee who misses all the scheduled and make-up semi-annual fitness testing sessions will be required to seek permission from the Chief of Police to have an additional make-up day scheduled.

### **310.12.9 – Voluntary Re-Testing**

- A. Any employee who meets the fitness standard but wishes to improve their performance will be allowed one voluntary re-test per semi-annual testing session.
- B. The voluntary re-test must occur on either a scheduled semi-annual testing date or on a scheduled make-up date. Additional testing sessions will not be allowed solely for voluntary re-testing.
- C. Any employee who completes a voluntary re-test will be allowed to use the faster of their two scores.

### **310.12.10 – Waivers for Fitness Testing**

- A. Any employee who is absent from work, is on approved workers' compensation leave, or who is on temporary duty and is unable to participate in all available semi-annual POPAT testing dates will be granted a temporary waiver from fitness testing. The employee will be required to complete the missed semi-annual testing within thirty (30) days of returning to full duty unless the next semi-annual test occurs within those same thirty (30) days. In that case, the missed semi-annual test will be excused.
- B. An employee who is on full-duty status and has an emergent health condition (i.e. "short term illness that does not require temporary duty status") that would negatively impact their performance on the POPAT course on their scheduled day must notify their immediate supervisor and the Personnel and Training Sergeant of their condition.
  - 1. It is the responsibility of the employee to obtain a waiver from the Personnel and Training Sergeant to attend another scheduled or make-up session during that semi-annual testing period to complete the POPAT course.
  - 2. If the employee is requesting a waiver of more than three (3) days, the employee will be required by the Personnel and Training Sergeant to provide documentation from a licensed physician describing their illness / condition and its impact on the employee's ability to complete the POPAT course.
- C. An employee who is on full-duty status and has a physical injury that would negatively impact their performance on the POPAT course on their scheduled day must notify their immediate supervisor and the Personnel and Training Sergeant of their injury.
  - 1. The employee will be required by the Personnel and Training Sergeant to provide a Fit-for-duty form from a licensed physician describing their injury and whether they can physically meet their job requirements and participate in the POPAT test.
  - 2. The employee requesting the waiver will not be allowed to work full-duty or participate in a POPAT test until cleared for full duty by a licensed physician.
  - 3. If the employee is cleared for full-duty by a licensed physician and still requests an injury waiver to avoid aggravating an injury that does not prevent them from performing their duties, the employee will be granted a waiver and will be required to complete the next scheduled POPAT test or a POPAT test scheduled on their behalf if the next scheduled test is more than seven (7) days away.

**310.12.11 – Assistance to Employees (22.2.3)**

- A. The Department recognizes an obligation to provide assistance to employees who want to improve their physical fitness and/or have difficulty in meeting Department fitness standards.
- B. The Department, in collaboration with the Town Human Resources Department, will offer assistance to employees by:
  - 1. Providing referrals for health screening and fitness assessment;
  - 2. Providing guidance in and/or a referral for the development of an individual physical fitness training program to include individual education and goal setting;
  - 3. Allowing on-duty exercise time and providing exercise group leaders;
  - 4. Referring employees to health and nutrition advice through the Town's contracted health care insurance provider and/or other Department approved providers;
  - 5. Referring employees to programs offered by the Town's contracted [Employee Assistance Program provider](#); and
  - 6. Providing ongoing support and evaluation of employee health and fitness.

**310.12.12 – Performance Appraisal Standards**

- A. Employee performance on the semi-annual fitness testing will be a scored component of the employee's annual performance appraisal unless the employee does not take either semi-annual fitness test. If an employee does not take at least one fitness test during the appraisal period, he/she will not receive a score in this category.
- B. Employees are subject to the following guidelines for performance appraisal purposes:
  - 1. The number of tests completed will impact the employee's performance appraisal score as follows:
    - a. If an employee completes two required semi-annual fitness tests in their appraisal period, the faster of the two times will be used as the employee's fitness testing time for evaluation purposes.
    - b. If an employee only completes one semi-annual fitness test in their appraisal period, the employee will be required to use that time as their fitness testing time for evaluation purposes.
  - 2. Employee performance on the semi-annual fitness testing will translate to performance appraisal evaluation scores as follows:
    - a. POPAT time at or faster than the mandatory North Carolina POPAT time = "Outstanding Performance"
    - b. POPAT time at or faster than the fitness standard but slower than the mandatory North Carolina POPAT time = "Achieves Performance Requirements"
    - c. POPAT time at or faster than the minimum performance requirement but slower than the fitness standard = "Needs Performance Improvement"



- d. POPAT time slower than the minimum performance requirement = “Fails to Achieve Performance Requirements”

**310.12.13 – Fitness Award**

Employees who complete part one of the semi-annual fitness test in a time of six minutes (6:00) or faster and complete part two of the semi-annual fitness test in a time of three minutes (3:00) or faster are eligible for the Department's Fitness Award as outlined in [GPD directive 310.07, Awards Program](#).

**Addendum #1**

Effective October 3, 2016, the Garner Police Department POPAT course is as follows:

**Part One – “Chase and Apprehension”**

1. Officer begins the test seated in a chair; when told “go” the officer goes forty (40) feet to and around the cone, goes forty (40) feet back to and around the chair, goes forty (40) feet to and around the cone, and goes forty (40) feet back to and around the chair.
2. Officer goes to the broad jump and goes over the four (4) foot broad jump; the officer’s foot must touch down prior to the line denoting the beginning of the broad jump and their foot must touch down after the line denoting the end of the broad jump. If the officer does not successfully clear the broad jump, the officer must repeat the jump until he/she successfully clears it.
3. Officer goes to the fence climb, places both hands on the top of the fence, and then climbs over the four (4) foot fence; the officer cannot “leap” or “dive” over the fence.
4. Officer goes to the crawl obstacle and must crawl under the two (2) foot high obstacle; the officer can touch but cannot knock the obstacle over. If the officer knocks the obstacle over, they must repeat the crawl obstacle until they go under without knocking it over.
5. Officer goes to the roll drill mat where the 100 pound contoured heavy bag will be positioned on the left end of the mat. The officer will conduct three (3) consecutive repetitions of the following:
  - a. The officer begins on top of the bag with their left knee on the floor;
  - b. The officer rolls to their right until the bag is over their body;
  - c. The officer continues to roll to the right until they are back on top of the bag with their right knee on the floor; and
  - d. The officer then performs a complete turn back to the left and ends with their left knee back on the floor;
6. Officer goes to the push-up station and completes twenty (20) pushups;
7. Officer goes to the roll drill mat and repeats the process outlined in step five (5) above;
8. Officer goes to the broad jump and repeats the process outlined in step two (2) above;
9. Officer goes to the fence climb and must climb over the four (4) foot fence;
10. Officer goes to the crawl obstacle and repeats the process outlined in step four (4) above;
11. Officer goes to the step box and completes thirty (30) steps on the step box. The officer must step up with both feet on the box and then step down with both feet back on the floor to count one (1) step;
12. Officer goes to the roll drill mat and repeats the process outlined in step five (5) above;
13. Officer goes to the push-up station and completes twenty (20) push-ups;
14. Officer goes to the roll drill mat and repeats the process outlined in step five (5) above.

Officer will be afforded a minimum ten (10) minute resting period between part one and part two of the test.

**Part Two – “Rescue”**

1. Officer begins the test in a standing position at cone #1, goes fifty (50) feet and then around cone #2, goes back fifty (50) feet and then around cone #1, goes fifty (50) feet and around cone #2, and then goes back fifty (50) feet directly to the step box.
2. Officer completes thirty (30) steps on the step box. The officer must step up with both feet on the box and then step down with both feet back on the floor to count one (1) step.
3. Officer leaves the step box and goes fifty (50) feet and then around cone #2, goes back fifty (50) feet and then around cone #1, goes fifty (50) feet and around cone #2, and then goes back fifty (50) feet directly to the dummy drag.
4. Officer drags a one-hundred-seventy-five (175) pound survivor dummy twenty-five (25) feet down and twenty-five (25) feet back – the entire dummy must go over the denoted line at the twenty-five (25) feet mark and again back at the start/finish line. The dummy may be dragged in any manner.

**Addendum #2**

## POPAT Completion Time Requirements and Scheduled Time Requirement Changes

Session Date	Department Fitness Standard		Minimum Performance Requirement	
	1st Part	2nd Part	1st Part	2nd Part
Spring 2014	12:00	06:00	18:00	09:00
Fall 2014	11:15	05:37	17:15	08:37
Spring 2015	10:30	05:15	16:30	08:15
Fall 2015	09:45	04:53	15:45	07:53
Spring 2016	09:00	04:30	15:00	07:30
Fall 2016	08:15	04:07	14:15	07:07
Spring 2017	07:30	03:45	13:30	06:45
Fall 2017	06:45	03:23	12:45	06:23
Spring 2018	06:00	03:00	12:00	06:00

**Addendum #3**

Upon any failure to meet the Department fitness standard, the employee will be required to participate in a remedial fitness program until such time that they meet the fitness standard.

1. The employee will meet with a Department fitness instructor as directed following their POPAT test.
  - a. The employee will be provided with training, to include documentation on and demonstration of sample aerobic and anaerobic exercises.
  - b. This meeting can be excused if the employee instead meets with a Department-provided fitness consultant for the same training as described above.
2. The employee will be required to complete a minimum of four (4) one-hour exercise sessions every seven (7) days.
  - a. At least one (1) of the four sessions must be a session led by a Department fitness instructor unless the employee is out of town or on leave during all available Department-led sessions in a given week.
  - b. All four required sessions should be completed while on-duty unless:
    - 1) The employee is not working four days during the week; or
    - 2) The employee is unable to complete all four sessions while on-duty due to staffing limitations or workload.
  - c. In the event the employee is not able to complete the four required sessions on-duty, the employee must notify their supervisor they will be completing a session(s) off-duty. Any required session completed off-duty is compensable time.
  - d. The only exception to the four required sessions is if the employee is on leave for more than three days in the seven day period. In that case, the employee is responsible for one session per day that they are not on leave.
  - e. All sessions will be documented by the employee on a *Remedial Fitness Program Weekly Report* (GPD form 310.12-G) that will be submitted to the Personnel and Training Sergeant.
3. Failure to submit the required documentation and/or complete the required sessions may subject the employee to disciplinary action.